



PDC NEWS

711 Capitol Way, Room 206
Olympia Washington

Public Disclosure Commission

Earl Tilly, Chair
Jane Noland, Vice-Chair
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Enforcement

The Commission voted unanimously to ask the Attorney General to defend Initiative 134 by appealing the state Supreme Court's decision in *State ex rel. Public Disclosure Comm'n v. Washington Education Ass'n* to the U. S. Supreme Court. This case began in 2000 when the Commission received a complaint alleging that the Washington Education Association (WEA) failed to get affirmative authorization from nonmembers before using their fees for political purposes. [The affirmative authorization requirement is a provision enacted by the people through the passage of Initiative 134 in 1992.] When the 2000 complaint was filed, the WEA stipulated to a violation of law and the Commission referred the case to the Attorney General for further prosecution. Following a series of court decisions and appeals, the state Supreme Court ultimately struck down the provision of Initiative 134 that restricts use of agency fees for political purposes.

Whatcom County Democratic Central Committee was fined \$3,500 with \$1,000 suspended on the condition of no further violations for a period of four years for failing to timely report contributions and expenditures in 2005 and 2004. **Whatcom County Democrats** entered into a stipulation with PDC staff that all of committee's 103 reports filed in 2005 were late and 118 of the 221 reports filed in 2004 were late. The activity not timely reported in 2005 included receipts of \$25,629 and expenditures totaling \$29,511. 2004 transactions not timely reported included receipts totaling \$21,194 and expenditures of \$41,352. The Commission accepted the stipulated facts and violations.

Reporting Modifications:

The Commission granted a Personal Financial Affairs Statement (PDC Form F-1) reporting modification to **Barre A. Seibert**, a Clyde Hill city council member, who requested an exemption from reporting the business and governmental customers of Tootsie Roll Industries, Inc., where he serves as a director.

The Commission renewed a reporting modification for **Steven Hill**, Administrator for the Washington Health Care Authority, and included a new exemption from reporting the business and governmental customers of Washington Public Affairs Network (TVW) and Hilltop Artists in Residence, entities where he serves as a board member.

The Commission renewed reporting modifications, with no changes, for:

- **Elizabeth A. Cowles**, Regent, Washington State University
- **Francois X. Forgette**, Regent, Washington State University
- **William H. Gates**, Regent, University of Washington
- **Orlan J. Gessford**, Director, Washougal School District
- **Clair S. Grace**, Member, Washington State Housing Finance Commission
- **Jayasri Guha**, Member, Washington State Dept. of Information Services
- **Merilla Hopkins**, Director, Davenport School District
- **Sarah "Sally" Jewell**, Regent, University of Washington
- **Stephen L. Johnson**, Senator, Legislative District 47
- **Kris Mikkelsen**, Regent, Eastern Washington University
- **A. Daniel O'Neal**, Member, Washington State Dept. of Transportation
- **Jeanne E. Stewart**, Council Member, City of Vancouver
- **Elizabeth E. Verhey**, Judge, Tacoma Municipal Court
- **William Williams**, Director, North Thurston School District

Rulemaking

The Commission held public hearings and adopted language amending the following rules:

WAC 390-16-011 Forms – Registration Statement for Political Committees was amended to remove the designated two hours for public inspection of campaign books on the 8th day before an election [to align with the 2005 statutory change to the inspection period provision].

WAC 390-16-012 Forms – Registration Statement for Candidates was amended to 1) provide a space for the candidate's personal e-mail address and 2) remove the designated two hours for public inspection of campaign books on the 8th day before an election [to align with the 2005 statutory change to the inspection period provision].

The Commission also briefly discussed implementation of the new **Electioneering Communications Act** (Chapter 445, Laws of 2005).

Advisory Matter

The Commission asked staff to include interest of 1% when negotiating stipulated penalties over \$5,000. The interest is to begin accruing on any portion of the stipulated penalty that remains unpaid after six months from when the Commission enters its order.

The Commission meeting materials may be found at www.pdc.wa.gov under **Commission Meetings** at **Meeting Agendas and Materials**. For additional information concerning these issues contact Lori Anderson, Communications & Training Officer, at (360) 664-2737, toll free 1-877-601-2828 or e-mail at landerson@pdc.wa.gov.

The next special meeting of the Public Disclosure Commission is tentatively scheduled for April 27, 2006.
